

PATENT APPLICATION

Atty. Docket No.: 8514-75
 Applicant: Hoffman, Ned
 Filing Date: Herewith

Serial No. Not yet assigned

Group: Not yet assigned

INFORMATION DISCLOSURE CITATION
 FORM PTO-1449 (Modified)

10/056982
 01/23/02

U.S. PATENT DOCUMENTS

Exam Init	Ref	Document Number	Issue Date	Name	Class	Sub- Class
PP		2001/0000045	Mar. 15, 2001	Yu et al.	707	9
PP		6,182,076	Jan. 30, 2001	Yu et al.	707	10
PP		6,012,039	Jan. 2000	Hoffman et al.	705	14
PP		5,930,804	Jul. 27, 1999	Yu et al.	707	104
PP		5,870,723	Feb. 1999	Pare, Jr. et al.	705	39
PP		5,615,277	Mar. 1997	Hoffman	382	115
PP		5,613,012	Mar. 1997	Hoffman et al.	382	115

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Name

OTHER DOCUMENTS

Exam Init	Ref	(Including Author, Title, Date, Pertinent Pages, etc.)

Examiner: Ponnorey Pich

Date Considered: 8/25/05

Information Disclosure Statement

This application is a continuation-in-part of U.S. Patent Application Serial No. 09/639,948 filed on August 17, 2000, now pending, which is a continuation-in-part of U.S. Patent Application Serial No. 09/398,914 filed September 16, 1999, now pending, which is a continuation-in-part of U.S. Patent Application Serial No. 09/244,784 filed February 5, 1999, now U.S. Patent No. 6,012,039, which is a continuation-in-part of U.S. Patent Application Serial No. 08/705,399, filed August 29, 1996, now U.S. Patent No. 5,870,723, which is a continuation-in-part of U.S. Patent Application Serial No. 08/442,895 filed May 17, 1995, now U.S. Patent No. 5,613,012, which is a continuation-in-part of U.S. Patent Application Serial No. 08/345,523, filed November 28, 1994, now U.S. Patent No. 5,615,277, all of which are commonly assigned and incorporated herein by reference.

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The subject matter of the specification supporting the claims in this patent application can be traced at least as far back as U.S. Patent Application Serial No. 08/442,895 filed May 17, 1995, now U.S. Patent No. 5,613,012. Page 1, line 20 through page 9, line 4 finds support in the '012 patent at column 1, line 15 through column 6, line 4. Page 9, line 7 through page 147, line 27 finds support in the '012 patent at column 6, line 8 through column 93, line 51. Page 1, line 20 through page 9, line 4 also finds support, for example, in U.S. Patent Application Serial No. 09/398,914 filed September 16, 1999, now pending, at page 1, line 27 through page 10, line 17.

The claims presented in this patent application are supported by all of the patent applications listed above, at least as far back as U.S. Patent Application Serial No. 08/442,895 filed May 17, 1995, now U.S. Patent No. 5,613,012.

Claims 49 and 50 presented in this patent application are substantially copied from and interfere with claims 1 and 5 of U.S. Patent Application Publication US 2001/0000045, Serial No. 09/728,052, filed by Yu et al. and shown on the face of the published patent application to have a correspondence address care of U.S. Philips Corporation. Except for language choices for certain terms (discussed below), claims 49 and 50 of the present patent application are identical to claims 1 and 5 of Yu et al. Support for claims 49-50 of the present patent application can be found in the present specification (as well as the parent patents and applications) at the following locations, among others:

Page 14, line 21 through page 15, line 2;

Page 20, lines 26-28;
Page 45, lines 24-25;
Page 47, lines 5-8 and 12-15;
Page 49, line 21 through page 55, line 11;
Page 54, line 25;
Page 56, line 20;
Page 66, line 19;
Page 71, lines 19-23;
Page 73, lines 32-33;
Page 98, lines 21-23, 26, and 33;
Page 100, lines 9-13;
Page 107, lines 8-9 and 22-23;
Page 133, lines 3-6, 11-14, and 24-27;
Page 141, line 30 through page 141, line 2;
Page 143, lines 9-16 and 29-31; and
FIGs. 1-4.

Corresponding disclosure in U.S. Patent No. 5,613,012 can be found at the following locations, among others:

Column 13, lines 17-20;
Column 27, lines 8-10 and 63-67;
Column 68, lines 5-9;
Column 29, line 24 through column 32, line 25;
Column 32, lines 38-39;
Column 33, lines 38-39;
Column 39, lines 35-37;
Column 42, lines 25-29;
Column 43, lines 57-59;
Column 57, lines 17-20;
Column 61, lines 46-47 and 65-66;
Column 75, lines 34-36 and 56-60;
Column 78, line 26 through column 84, line 53; and
FIG. 1.

Because of naming variations between the Yu patent application and the present patent application, some terms have been changed but mean or encompass the same things.

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-PT 8/25/05

The Yu patent application describes the system and method of the inventions as using a "Web cloud." This limits the communications between the components of the Yu patent application to communications via the Web. The specification of the present application describes "interconnecting means" as being used for communications between components of the invention, and specifically, the use of the Internet for communications. It is well known that the Web is a subset of the Internet. Accordingly, the use of the Internet in claims 49 and 50 is broader than the "Web cloud" limitation of claims 1 and 5 of the Yu patent application, and therefore encompasses the Yu limitation.

The Yu patent application discusses the use of a "Web client." The "Web client" is nothing more than a device for collecting the biometric for use in identifying and/or authenticating a user. As such, the "gathering means" of claims 49 and 50 encompasses the "Web client" limitation of claims 1 and 5 of the Yu patent application.

The Yu patent application discusses the use of a "Web server." The "Web server" is a device to which the individual seeks access via the biometric. As such, the "computer network" of claims 49 and 50 encompasses the "Web server" limitation of claims 1 and 5 of the Yu patent application.

The Yu patent application discusses the use of an "authentication center." The "authentication center" authenticates an individual based on his/her biometrics. In the present specification, that function is performed by the "data processing center." Accordingly, the "data processing center" of claims 49 and 50 of the present application is similar to the "authentication center" of claims 1 and 5 of the Yu patent application. (The Examiner may note that the "data processing center," as described in the present patent application, can perform other functions beyond authentication, although the data processing center is expressly associated with authentication in claims 49 and 50.)

The Yu patent application discusses the use of "live data." The "live data" is a very narrow category of data. In contrast, the "real time data" of claims 49 and 50 is a broad category of data, and include (among others) the "live data" of the Yu patent application. As such, the "real time data" of claims 49 and 50 is broader than the "live data" limitation of claims 1 and 5 of the Yu patent application, and therefore encompasses the Yu limitation.

Copies of Forms PTO-1449 and 892 are enclosed from these six prior applications from which priority is claimed. It is understood that the listed references from Applicant's prior applications will be considered in the examination of the application and that no separate copies of the same prior art are required to be provided since they were previously

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cited or transmitted in the foregoing prior application. 37 CFR Section 1.98(d). Form(s) PTO 1449 is enclosed listing references cited by the Examining Attorney and submitted by applicant in the prior applications. The list of references provided on Form PTO-1449 does not constitute an admission that the references are prior art under 35 U.S.C. § 102, as some of the references are dated after Applicant's priority date.

Enclosed herewith to assist the Examiner are copies of all of Applicant's patents from which this case claims priority under 35 U.S.C. § 120.

Also enclosed are copies of U.S. Patent No. 6,182,076 issued on January 30, 2001 to Yu et al., U.S. Patent No. 5,930,804 issued on July 27, 1999 to Yu et al., and U.S. Patent Application Publication No. US 2001/0000045, Serial No. 09/728,052. The filing dates of applicant's priority applications (now issued patents 5,613,012, filing date May 17, 1995, and 5,615,277, filing date November 28, 1994) predate Yu '804, which was filed June 9, 1997. The filing dates of applicant's priority applications also predate Yu '076, which was filed on Dec. 9, 1998 and claimed priority from Yu '804. The filing dates of applicant's priority applications also predate Yu '0000045, which was filed December 1, 2000 and claimed priority from Yu '076 and Yu '804. Therefore, Yu '804, Yu '076, and Yu '0000045 should not be considered as prior art references to applicant's continuation application and are not included on the enclosed form PTO-1449.

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Form PTO-1449 (modified)
INFORMATION DISCLOSURE CITATION

Atty. Docket No.
8514-75

Serial No.

Applicant:
Hoffman

Filing Date

Group

U.S. PATENT DOCUMENTS

Initial	Document Number	Date	Name	Class	Subclass
PP	4,321,672	3/1982	Braun	364	408
PP	4,390,968	6/1983	Hennessy	364	900
PP	4,484,328	11/1984	Schlaflly	370	394
PP	4,675,815	6/1987	Kuroki	364	900
PP	4,734,858	3/1988	Schlaflly	705	26
PP	4,799,156	1/1989	Shavit	364	401
PP	4,821,118	4/1989	Lafreniere	358	108
PP	4,837,422	6/1989	Dethloff et al.	364	408
PP	4,926,480	5/1990	Chaum	380	23
PP	4,947,028	8/1990	Gorog	235	380
PP	4,961,142	10/1990	Elliott et al.	364	408
PP	4,993,068	2/1991	Piosenka et al.	380	23
PP	4,995,086	2/1991	Lilley et al.	382	4
PP	4,998,279	3/1991	Weiss	340	825
PP	5,036,461	7/1991	Elliot et al.	364	408
PP	5,054,089	10/1991	Uchida et al.	382	4
PP	5,095,194	3/1992	Barbanell	235	380
PP	5,109,427	4/1992	Yang	382	4
PP	5,109,428	4/1992	Igaki et al.	382	5
PP	5,144,680	9/1992	Kobayashi	250	556
PP	5,145,102	9/1992	Higuchi et al.	382	4
PP	5,146,102	9/1992	Higuchi et al.	250	556
PP	5,168,520	12/1992	Weiss	380	23
PP	5,180,901	1/1993	Hiramatsu	235	380
PP	5,191,611	3/1993	Lang	380	25
PP	5,210,588	5/1993	Lee	356	71
PP	5,210,797	5/1993	Usui et al.	382	4
PP	5,222,152	6/1993	Fishbine et al.	382	2
PP	5,224,164	6/1993	Eisner et al.	380	44
PP	5,229,764	7/1993	Matchett et al.	340	825.34
PP	5,230,025	7/1993	Fishnine et al.	382	4
PP	5,239,583	8/1993	Parrillo	380	23
PP	5,241,606	8/1993	Horie	382	4
PP	5,251,259	10/1993	Mosley	380	23
PP	5,265,162	11/1993	Bush et al.	380	24
PP	5,276,314	1/1994	Martino et al.	235	380
PP	5,280,527	1/1994	Gullman et al.	380	23
PP	5,321,242	6/1994	Heath, Jr.	235	382

Examiner

Pomroy Rich

Date Considered

8/25/05

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Serial No.

Applicant:
Hoffman

Filing Date

Group

Initial	Document Number	Date	Name	Class	Subclass
PP	5,325,442	6/1994	Knapp	382	4
PP	5,335,288	8/1994	Faulkner	381	2
PP	5,343,529	8/1994	Goldfine et al.	380	23
PP	5,351,303	9/1994	Willmore	382	4
PP	5,354,974	10/1994	Eisenberg	235	379
PP	5,359,669	10/1994	Shanely et al.	382	117
PP	5,383,113	1/1995	Kight et al.	705	40
PP	5,386,104	1/1995	Sime	235	379
PP	5,499,288	3/1996	Hunt	379	266
PP	5,561,718	10/1996	Muller	379	266
PP	5,604,802	2/1997	Holloway	380	24
PP	5,613,012	3/1997	Hoffman et al.	382	115
PP	5,615,277	3/1997	Hoffman	382	115
PP	5,636,282	6/1997	Holmquist	380	25
PP	5,745,555	4/1998	Mark	379	95
PP	5,757,917	5/1998	Rose et al.		
PP	5,764,789	6/1998	Pare, Jr. et al.	382	115
PP	5,790,668	8/1998	Tomko	380	25
PP	5,802,199	9/1998	Pare, Jr. et al.	382	115
PP	5,805,719	9/1998	Pare, Jr. et al.	382	115
PP	5,826,241	10/1998	Stein et al.	705	26
PP	5,826,245	10/1998	Sandberg-Diment	705	44
PP	5,838,812	10/1998	Pare, Jr. et al.	705	44
PP	5,870,723	2/1999	Pare, Jr. et al.	705	39
PP	5,930,804	7/1999	Yu et al.	707	104
PP	5,956,700	9/1999	Landry	705	40
PP	6,012,039	1/2000	Hoffman et al.	705	14
PP	6,016,476	1/2000	Maes et al.	705	1
PP	6,023,783	2/2000	Ramachandran et al.	705	44
PP	6,040,783	3/2000	Houvener et al.	340	825.31
PP	6,105,010	8/2000	Musgrave	705	44

Examiner

Date Considered

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Form PTO-1449 (modified) INFORMATION DISCLOSURE CITATION	Atty. Docket No. 8514-75	Serial No.
Applicant: Hoffman		
Filing Date	Group	

FOREIGN PATENT DOCUMENTS

Initial	Document Number	Date	Country	Name	Class	Subclass
<u>PP</u>	WO/95/13591	5/18/1995		Jasper Consulting, Inc.		
<u>PP</u>	WO/98/25227	6/11/1998		Dew Engineering and Development		
<u>PP</u>	EP0651357A1	3/5/1995		Holloway		
<u>PP</u>	EP0581421A1	2/2/1994		Gajnak		
<u>PP</u>	EP0823701A2	2/1998		Fromm		
<u>PP</u>	WO98/50875	11/1998		Deludé et al.		
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OTHER DOCUMENTS

(including author, title, source, date, pertinent pages)

<u>PP</u>	Anderson et al., <i>Security Management</i> , American Society for Industrial Security v.37, n.11, 17-19 (November 1993)
<u>PP</u>	Radcliff, <i>When Data Warehouse become Open House</i> , Software Management, v.16 n.11 (November 26, 1996).
<u>PP</u>	Anonymous, <i>A Credit Union Points a Finger at Biometrics</i> , Bank Network News, v.15 n.16 (January 13, 1997).
<u>PP</u>	Hall, J., <i>Scanning Lets Fingerprints Do Talking</i> , Toronto Star, PA6 (May 15, 1997).
<u>PP</u>	Scally, R., <i>CompUSA Tests Fingerprints to Help Secure Transactions</i> , Discount Store News, v.36 n.10 (May 19, 1997).

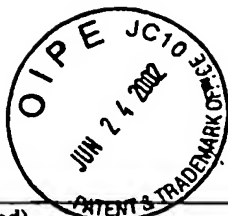
Examiner

Pennorey Pick

Date Considered

8/25/05

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Sheet 1 of 1

Form PTO-1449 (modified)
INFORMATION DISCLOSURE CITATION

Atty. Docket No.
8514-75 (ST-A34)

Serial No.
10/056,982

Applicant:
Hoffman

Filing Date
January 23, 2002

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U.S. Patent Documents

Initial	Document Number	Date	Name	Class/Subclass
<u>PP</u>	5,892,824	04/06/99	Beatson et al.	380/25
<u>PP</u>	6,202,151 B1	03/13/2001	Musgrave et al.	713/186
<u>PP</u>	6,310,966 B1	10/30/2001	Dulude et al.	382/115

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Examiner

Ponnorey Pick

Date Considered

8/25/05

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Sheet 1 of 1

Form PTO-449 (modified)
INFORMATION DISCLOSURE CITATIONAtty. Docket No.
8514-75 (ST-A34)Serial No.
10/056,982Applicant:
HoffmanFiling Date
January 23, 2002Group
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U.S. PATENT DOCUMENTS

Initial	Document Number	Date	Name	Class	Subclass
PP	5,274,695	12/1993	Green	379	88
PP	5,412,738	05/1995	Brunelli et al.	382	115
PP	5,465,303	11/1995	Levison et al.	382	124
PP	5,485,510	01/1996	Colbert	379	145
PP	5,546,523	08/1996	Gatto	395	156
PP	5,719,950	02/1998	Osten et al.	382	115
PP	6,028,950	02/2000	Merjanian	382	126

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PP	0598469A2	05/25/1994	EPO	Dunlevy		

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(including author, title, source, date, pertinent pages)

PP

Holmes et al., *A Performance Evaluation of Biometric Identification Devices*, Sandia National Laboratories, Albuquerque, NM, June, 1991.Examiner Tonnorey FichDate Considered 8/25/05

*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.